

Montana

Adoption Assistance- Who Do You Contact?

State Contact information

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<p style="text-align: center;">Adoption Program Manager Or Contact</p> <p>NAME: Lynda Korth</p> <p>ADDRESS: Department of Public Health and Human Services Child and Family Services Division P.O. Box 8005 Helena, Montana 59604</p> <p>E-MAIL: lkorth@state.mt.us</p> <p>TELEPHONE: 406.444.5919</p>	<p style="text-align: center;">ICPC Compact Administrator Or Contact</p> <p>NAME: Kandice Morse</p> <p>ADDRESS: Department of Public Health and Human Services Child and Family Services Division P.O.Box 8005 Helena, Montana 59604</p> <p>EMAIL: kmorse@state.mt.us</p> <p>TELEPHONE: 406.444.5917</p>
<p style="text-align: center;">Post Adoption Services Contact</p> <p>NAME:</p> <p>ADDRESS:</p> <p>E-MAIL:</p> <p>E-ADDRESS</p> <p>TELEPHONE</p>	<p style="text-align: center;">Medical Assistance Specialist</p> <p>NAME:</p> <p>ADDRESS:</p> <p>E-MAIL:</p> <p>E-ADDRESS</p> <p>TELEPHONE:</p>

Adoption Assistance- Who is Eligible?

A good place to start. Public adoption in Montana is administered by the Department of Public Health and Human Services (DPHHS), Child and Family Services Division (CFSD). DPHHS and adoption links: www.dphhs.state.mt.us/services/programs_available/programs_available.htm and www.dphhs.state.mt.us/about_us/divisions/child_family_services/adoption/adoption_in_montana.htm.

1. What specific factors or conditions does your state consider to determine that a child cannot be placed with adoptive parents without providing financial assistance? (*"What is your state definition of special needs?"*)

A child with special needs is defined as a child that has at least one of the following needs or circumstances that may be a barrier to placement or adoption without financial assistance:

- Six years of age or older
- A member of a minority group
- A member of a sibling group of two or more children placed together for adoption
- Diagnosed as having a physical, mental or emotional disability
- Recognized to be at high risk of developing a physical, mental or emotional disability

Note: Children must be legally free for adoption, under eighteen years of age at the time the adoption assistance agreement is signed, and under the placement and care responsibility of the state of Montana (DPHHS), a Tribe with whom the state has a Title IV-E agreement, or a licensed private adoption agency to be eligible for adoption assistance. Children must meet the above definition of special needs or meet Supplemental Security Income (SSI) eligibility criteria.

2. What are the eligibility criteria for your state-funded adoption assistance program?

In order to be eligible for state-funded adoption assistance a child must be a special needs child as defined above, under the placement and care responsibility of the state of Montana (DPHHS), a Tribe with whom the state has a Title IV-E agreement, or a licensed private adoption agency, under eighteen years of age at the time the adoption assistance agreement is signed, and legally free for adoption.

3. What is the maximum amount a family may receive in non-recurring adoption expenses from your state? Adoptive parents can receive reimbursement of certain approved, "one-time" adoption expenses incurred in the process of finalizing a special needs adoption.

\$2,000.00 per child

4. Does your state enter into deferred adoption assistance agreements? In some states, adoptive parents can enter into an agreement in which they choose to defer the receipt of a Medicaid card, the monthly monetary payment, or both and can elect to receive the Medicaid card and/or monetary payment at another time.

Montana offers deferred adoption assistance.

5. When may adoption assistance payments and benefits begin in your state?

Adoption assistance payments and benefits may begin in Montana at adoption placement or at an appropriate time after adoption finalization.

6. How are changes made to the adoption assistance agreement in your state?

- a. When can a parent request a change in the adoption assistance agreement?
- b. How does a parent request a change in the adoption assistance agreement?
- c. What if a parent does not receive the change they request in the adoption assistance agreement?

Adoptive parents or the Department of Public Health and Human Services CFSD can request a change in the adoption assistance agreement any time there is a change in the needs of the child/family circumstance or an increase in the foster care rate the child would have received if they were in foster care. Requests for change should be made in writing. Parents are directed to contact the DPHHS Regional Administrator where the agreement was negotiated to request a modification in the agreement. CFSD regional office locator link: www.dphhs.state.mt.us/services/office_locations/dphhs_services/child_family.htm.

Adoption Assistance- Post Adoption Services

7. What types of post adoption services are available in your state and how do I find out more about them?

Post adoption services in Montana are not administered or funded through the DPHHS, CFSD. Families and organizations outside the state CFSD privately operate some support services and DCFS workers provide information and referral to adoptive families upon request. Ask your adoption assistance worker for contact information for support groups and any available post adoption services.

Contact the Montana Foster/Adoptive Parent Association at www.fosterparents.com/states3/mt or the local CFSD office, link: www.dphhs.state.mt.us/services/office_locations/dphhs_services/child_family.htm. Many organizations outside the state DPHHS offer a variety of respite options, see Montana's Respite Programs, link: www.respitelocator.org/m7states.htm

Note: Not all services may be available in all cases. Contact your adoption assistance worker or post adoption services contact for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Medical assistance

8. What mental health services are provided by your state?

Public mental health for children in Montana is administered through the DPHHS, Health Policy and Services Division (HPSD) and includes the following examples: inpatient and outpatient hospital care, outpatient community mental health centers, outpatient psychologists, licensed clinical social workers, licensed professional counselors, physician services, residential treatment, and prescription drugs. HPSD's Medicaid client information link: www.dphhs.state.mt.us/hpsd/medicaid/medrecip/medrecip.htm and contact links: www.dphhs.state.mt.us/hpsd/medicaid/medrecip/medriwho/medriwho.htm and www.dphhs.state.mt.us/about_us/phone_numbers/amd_phone_numbers.htm.

Note: Not all services may be available in all cases. Contact your adoption assistance worker or medical assistance specialist for information regarding process, eligibility, availability, and duration of services.

9. Does your state provide additional finances or services for medical or therapeutic needs not covered under your state medical plan to children receiving adoption assistance?

Montana offers what is known as *State Medical Subsidy*. Funding is allocated for children requiring medical expenses not covered by Medicaid and is limited to \$2,600 per year. The *State Medical Subsidy* benefit is negotiated as part of adoption assistance agreement and is available as funding is available.

Note: Not all services may be available in all cases. Contact your adoption assistance worker for information regarding process, eligibility, availability, and duration of services.

Adoption Assistance- Fair Hearings

10. What is your state's process for applying for a fair hearing? A fair hearing is a legal, administrative procedure that provides a forum to address disagreements with agency decisions.

Adoptive parents who have applied for or been granted adoption assistance for their child can appeal a denial or other negative or adverse determination pertaining to the amount, duration or continuation of adoption assistance benefits. This includes any decision that denies, reduces, changes or terminates benefits that affect the adoption assistance agreement. Adoptive parents who wish to contest any negative or adverse decision must send a written request for hearing received by the Office of Fair Hearings within ninety days of the mailing date of the notice of the contested action.

After the request for a hearing is received, the Office of Fair Hearings will assign a hearing examiner and send a notice giving the date, time and place of the hearing. The hearing may be held by telephone or in person. The notice will also provide additional information on what is needed to prepare for the hearing and who to contact if the family needs to change the date or time of the hearing. Parents can represent themselves or have a lawyer or another individual assist them in presenting their case and are permitted to bring witnesses. The hearing examiner will record the hearing so that the facts are taken down correctly. Parents can request a free copy of the tape by contacting the Office of Fair Hearing after the hearing decision is issued. The written decision will explain how to appeal the decision if the family disagrees with the decision. Send requests to the following address:

Office of Fair Hearings
2401 Colonial Drive, 3rd Floor
Helena, Montana 59620-2953

Adoption Assistance- Web/Internet Information

11. What is your state Web address for general adoption information?

Montana's general adoption link:

www.dphhs.state.mt.us/about_us/divisions/child_family_services/adoption/adoption_in_montana.htm

12. What is your state Web address for adoption assistance information?

Montana's adoption assistance information found in the *Montana Code Annotated 2003, Title 42 Adoption, Chapter 10 Subsidized Adoption* link: http://data.opi.state.mt.us/bills/mca_toc/42_10_1.htm

13. What is your state Web address for state-specific medical assistance information for children?

Montana's state-specific medical assistance link: www.dphhs.state.mt.us/hpsd/index.htm